

HOUSE BILL NO. 570

INTRODUCED BY G. GUTSCHE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE CATEGORIES OF INTERESTS REPRESENTED
5 ON THE BOARD OF OIL AND GAS CONSERVATION; PROVIDING A 4-YEAR TERM OF OFFICE;
6 DESCRIBING THE MANNER IN WHICH VACANCIES ARE TO BE FILLED; AND AMENDING SECTION
7 2-15-3303, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 2-15-3303, MCA, is amended to read:

12 **"2-15-3303. Board of oil and gas conservation -- composition -- allocation -- quasi-judicial. (1)**

13 There is a board of oil and gas conservation.

14 (2) The board consists of seven members, ~~three of whom shall be~~ appointed by the governor, including
15 one person from each of the following categories:

16 (a) from a representative of the oil and gas industry; and have had at least 3 years' experience in the
17 production of oil and gas and two of whom shall be landowners residing in oil or gas producing counties of the
18 state but not actively associated with the oil and gas industry, but one of the two landowners shall be one who
19 owns the mineral rights with the surface and the other shall be one who does not own the mineral rights

20 (b) a resident landowner in an oil-producing or gas-producing county whose land ownership rights do
21 not include ownership of the mineral rights for oil or gas production under the land;

22 (c) a member of an irrigation district in a county where oil or gas production is occurring or has been
23 proposed;

24 (d) a hydrologist;

25 (e) a tribal member;

26 (f) a conservationist; and

27 (g) a county commissioner from a county where oil or gas production is occurring.

28 (3) The board is allocated to the department of natural resources and conservation for administrative
29 purposes only as prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d)
30 does not apply. The board may also prescribe the duties and annual salary of four professional staff positions.

1 (4) The board is designated as a quasi-judicial board for purposes of 2-15-124."
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3 **NEW SECTION. Section 2. Term of office -- vacancy.** (1) Except as provided in subsection (3), the
4 term of appointment to the board of oil and gas conservation is 4 years.

5 (2) After [the effective date of this act], each vacancy must be filled by a person from an interest group
6 not yet represented. After all categories listed under 2-15-3303(2) are represented on the board, any new
7 vacancy must be filled to replace the interest group associated with the person vacating the position.

8 (3) In order to implement staggered terms, the governor shall designate the term of office of an
9 appointee.
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11 **NEW SECTION. Section 3. Notification to tribal governments.** The secretary of state shall send a
12 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
13 band of Chippewa.
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15 **NEW SECTION. Section 4. Codification instruction.** [Section 2] is intended to be codified as an
16 integral part of Title 2, chapter 15, part 33, and the provisions of Title 2, chapter 15, part 33, apply to [section 2].
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